

By: Davis

S.B. No. 1219

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a customer's right to privacy of smart meter collected
3 data.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 39.107(b), Utilities Code, is amended to
6 read as follows:

7 (b) Metering services provided to residential customers and
8 to nonresidential customers other than those required by the
9 independent system operator to have an interval data recorder meter
10 shall continue to be provided by the transmission and distribution
11 utility affiliate of the electric utility that was serving the area
12 before the introduction of customer choice. Retail electric
13 providers serving residential and nonresidential customers other
14 than those required by the independent system operator to have an
15 interval data recorder meter may request that the transmission and
16 distribution utility provide specialized meters, meter features,
17 or add-on accessories so long as they are technically feasible and
18 generally available in the market and provided that the retail
19 electric provider pays the differential cost of such a meter or
20 accessory. Metering and billing services provided to residential
21 customers shall be governed by the customer safeguards adopted by
22 the commission under Section 39.101. All meter data, including all
23 data generated, provided, or otherwise made available, by advanced
24 meters and meter information networks, shall belong to a customer,

1 including data used to calculate charges for service, historical
2 load data, and any other proprietary customer information. A
3 customer may authorize its data to be provided to one or more retail
4 electric providers under rules and charges established by the
5 commission. An entity other than a retail electric provider or
6 electric utility may only have access to meter data with written
7 consent from a customer under rules established by the commission.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.